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EXAMINER	
LIN, JASON K	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/736,274	NGUYEN, LIEM QUANG	
	Examiner	Art Unit	
	JASON K. LIN	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,8,10 and 14-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,6,8,10 and 14-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to application No. 10/736,274 filed on 10/14/2008. **Claims 1, 6, 8, 10, and 14-16** are pending and have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/2008 has been entered.

Response to Arguments

3. Applicant's arguments with respect to **claims 1, 6, 8, 10, and 14-16** have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument on P.6 of applicant's remarks that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 14-15,** are vague and do not set a clear bound for patentability. In particular, claim 15 which recites "production companies located in Asia" simply means companies located in Asia, and does not further add to the functionality of the invention as a whole.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 1, 6, 8, and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thiagarajan et al. (US 2003/0196204), in view of Yurt et al. (US 5,253,275), in view of Lewis (US 2005/0198677), in view of Tiemann (US 2003/0101457), and further in view of Allen et al. (US 7,428,023).

Consider **claim 1,** Thiagarajan teaches a system for distributing movies (Paragraph 0016) comprising:

a) a data center for storing and cataloging data representing pre-recorded movies, said data center containing a power source, a processor, a storage for containing said data, (102, 104, 106, 108 - Fig.1 {data center}; *Devices of the data center contain servers and processor(s) that contain and process information/content which inherently contain a power source to power the computer servers, a processor to control the computer servers, and storage for*

containing data in order to store VOD content and other programming), and a communication device comprising a data center transmitter and a data center receiver (Paragraph 0024 teaches a broadcast transmitter 134-Fig.1; Paragraph 0091 teaches communicating a request to the VOD vendor 106 through the content distribution system 108, *therefore the data center inherently has a receiver for receiving said information over the network*);

c) a plurality of users (110(N); Paragraph 0016, 0026), each user having a display (television 138-Fig.2), an input remote control device having a screen (Paragraph 0031), a processor (processors 304-Fig.3; Paragraph 0036), and a communication device comprising a user transmitter and a user receiver (Paragraph 0027 teaches a satellite dish 136-Fig.1 {receiver}; Paragraph 0091 teaches communicating a request to content distribution system from the client, *therefore it is inherent that the client has a transmitter in order to communicate a request to the data center*);

d) a transmission network connected wirelessly to each of said users independently and to said data center (112-Fig.1; Paragraph 0024, 0027, 0091 teaches a satellite transmission network where users can request and download VOD content from providers), whereby an end user inputs a data request using said remote control device to said user processor (Paragraph 0031, 0088), said data center processor retrieving the data requested from said storage (Paragraph 0091-0093), said user processor directing said display to show said requested data at a time selected by said end user (Paragraph 0034, 0093),

e) said system allowing multiple user to simultaneously access data stored and catalogued in said data center (Paragraph 0016, 0026, 0091).

Thiagarajan does not explicitly teach an input for adding new data to said storage;

b) a billing system connected to a database for selectively providing and controlling access to said data by assigning a unique pass code to a user upon making payment;

said transmission network comprising a processor and a communication device comprising a transmission network transmitter and a transmission network receiver, said user processor directing said user transmitter to transmit the data request to said transmission network receiver, said transmission network processor forwarding said data request to said data center receiver, said data center processor directing said data center transmitter to transmit the requested data to said transmission network receiver, said transmission network processor directing said transmission network transmitter to transmit the requested data to said user receiver, said input remote control device screen showing movies available for screening at said data center, said input remote control device including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field, said content fields selectively displaying what data is stored in said data center.

In an analogous art Yurt teaches, an input for adding new data to said storage (Conversion means 113-Fig.2a; Col 6: line 58 – Col 7: line 21 teaches input means that convert input data into appropriate format for storage in compressed data library 118).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Thiagarajan's system to include an input for adding data to said storage, as taught by Yurt, for the advantage of providing new data originating from multiple formats into one common format to the server, providing newer available selections, better satisfying the viewing needs of various viewers.

Thiagarajan and Yurt do not explicitly teach b) a billing system connected to said database for selectively providing and controlling access to said data by assigning a unique pass code to a user upon making payment;

said transmission network comprising a processor and a communication device comprising a transmission network transmitter and a transmission network receiver, said user processor directing said user transmitter to transmit the data request to said transmission network receiver, said transmission network processor forwarding said data request to said data center receiver, said data center processor directing said data center transmitter to transmit the requested data to said transmission network receiver, said transmission network processor directing said transmission network transmitter to transmit the requested data to said user receiver, said input remote control device screen showing movies available for screening at said data center, said input remote control device

including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field, said content fields selectively displaying what data is stored in said data center.

In an analogous art Lewis teaches, a billing system connected to a database for selectively providing and controlling access to data by assigning a unique pass code to a user upon making payment (Paragraph 0023, 0034 teaches a system that can electronically negotiate purchases and has interfaces for billing authorities such as VISA for direct purchase or rental of movies. Paragraph 0035 teaches data received may be in scrambled or encrypted format and upon purchase and completion of all necessary transactions an authorization 'key code' is received from the broadcaster/content provider);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Thiagarajan and Yurt to include a billing system connected to a database for selectively providing and controlling access to data by assigning a unique pass code to a user upon making payment, as taught by Lewis, for the advantage of providing a comprehensive data management system interfaced with current financial tools for easy purchase/rental of data (Lewis – Paragraph 0010), allowing the provider to easily and efficiently handle purchasing/renting of data, insuring payment is made, and ensuring that only the purchaser has access to the purchased/rented data.

Thiagarajan, Yurt, and Lewis do not explicitly teach said transmission network comprising a processor and a communication device comprising a transmission network transmitter and a transmission network receiver, said user processor directing said user transmitter to transmit the data request to said transmission network receiver, said transmission network processor forwarding said data request to said data center receiver, said data center processor directing said data center transmitter to transmit the requested data to said transmission network receiver, said transmission network processor directing said transmission network transmitter to transmit the requested data to said user receiver, said input remote control device screen showing movies available for screening at said data center, said input remote control device including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field, said content fields selectively displaying what data is stored in said data center.

In an analogous art Tiemann teaches, a transmission network comprising a processor and a communication device comprising a transmission network transmitter and a transmission network receiver, said user processor directing user transmitter to transmit the data request to said transmission network receiver, said transmission network processor forwarding said data request to data center receiver, data center processor directing data center transmitter to transmit the requested data to said transmission network receiver, said transmission network processor directing said transmission network transmitter

to transmit the requested data to said user receiver (Fig.5b; Paragraph 0028 teaches an order can be received by a satellite television company 526 from a customer set top box 522a over a satellite distribution system 530 including satellite 532 as shown in Fig.5b. Paragraph 0034 teaches providing the client the requested movie of the satellite distribution system of Fig.5b. *The transmission network 532-Fig.5b inherently has a network transmitter and network receiver in order to relay user requests to the provider, and relay content provided from the provider to the user. The transmission network 532-Fig.5b inherently has a processor in order to process relaying of user requests and provided content to appropriate users. Thiagarajan – For Data center and user components see rejection above*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Thiagarajan, Yurt, and Lewis to include a transmission network comprising a processor and a communication device comprising a transmission network transmitter and a transmission network receiver, said user processor directing user transmitter to transmit the data request to said transmission network receiver, said transmission network processor forwarding said data request to data center receiver, data center processor directing data center transmitter to transmit the requested data to said transmission network receiver, said transmission network processor directing said transmission network transmitter to transmit the requested data to said user receiver, as taught by Tiemann, for the advantage of providing broadcast

coverage to users who may not easily be within the provider's broadcasting range, expanding the provider's user base.

Thiagarajan, Yurt, Lewis, and Tiemann do not explicitly teach said input remote control device screen showing movies available for screening at said data center, said input remote control device including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field, said content fields selectively displaying what data is stored in said data center.

In an analogous art Allen teaches, an input remote control device screen (106-Fig.2) showing movies available for screening at a data center (Col 2: lines 43-47 teaches television programs may encompass streaming audio/video, video-on-demand, etc. Col 3: lines 36-42, Col 4: lines 1-9 teaches a head-end where programs may be stored. Col 9: lines 13-14 teaches that the content received are movies), said input remote control device including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field (Col 5: lines 7-12 teaches a touch screen 250-Fig.2 that can be used for the remote control 106-Fig.2. Fig.2, Col 5: lines 24-39, Col 10: lines 35-43 teaches allowing a user to navigate an EPG and highlight/select content. As can be seen in Fig.2 there are at least three content fields), said content fields selectively displaying what data is stored in said data center (Col 2: lines 43-47 teaches television programs may encompass streaming audio/video, video-on-demand, etc. Col 3:

lines 36-42, Col 4: lines 1-9 teaches a head-end where programs may be stored. Col 5: lines 24-29 teaches an EPG that display programs that can be received by the receiver. *These programs are sent by the headend and includes the programs stored at the headend where the types of television programming described can be streaming audio/video, video-on-demand, etc*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Thiagarajan, Yurt, Lewis, and Tiemann to include said input remote control device screen showing movies available for screening at said data center, said input remote control device including a navigation device having a user input field for inputting a data request, said input field including a first content field, a second content field, and a third content field, said content fields selectively displaying what data is stored in said data center, as taught by Allen, for the advantage of allowing a user to watch a television program while simultaneously viewing programming choices (Allen - Col 2: lines30-36) and allowing the user to easily view and navigate through selections much closely.

Consider **claim 6,** Thiagarajan, Yurt, Lewis, Tiemann, and Allen teach wherein said input includes at least one of a DVD player, a MPEG player, a video cassette recorder (Yurt - Col 6: line 58 – Col 7: line 21 teaches conversion means. Col 6: lines 13-25 teaches different types of media formats compatible with the digital and analog inputs of the conversion system, namely 113. The different media formats comprises, video tapes, laser disks, optical disks, etc.

Therefore, the conversion system 113 contains respective devices to process the various media formats input into the system), an internet connection, and an 8MM tape player.

Consider **claim 8,** Thiagarajan, Yurt, Lewis, Tiemann, and Allen teach wherein said transmission network is at least one of a cable television system, a satellite transmission system (Thiagarajan - Paragraph 0024, 0027), a telephone network, and a fiber optic cable network.

Consider **claim 10,** Thiagarajan, Yurt, Lewis, Tiemann, and Allen teach teaches wherein said display is at least one of a computer monitor and a television (Thiagarajan - television 138 - Fig.2; Paragraph 0031).

8. **Claims 14-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thiagarajan et al. (US 2003/0196204), in view of Yurt et al. (US 5,253,275), in view of Lewis (US 2005/0198677), in view of Tiemann (US 2003/0101457), in view of Allen et al. (US 7,428,023), and further in view of KINEMA (http://www.kinema.uwaterloo.ca/ghy-941.htm).

Consider **claim 14,** Thiagarajan, Yurt, Lewis, Tiemann, and Allen teach said data represents movies (Thiagarajan - Paragraph 0054; Allen - Col 2: lines 43-47 teaches television programs may encompass streaming audio/video,

video-on-demand, etc. Col 9: lines 13-14 teaches that the content received are movies), but does not explicitly teach movies filmed and produced in Asia.

In an analogous art KINEMA teaches, movies filmed and produced in Asia (P. 2: lines 4-6, 22-28, 34-40; P. 3: lines 25-45; P. 4: lines 12-19; P. 5: lines 1-14).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Thiagarajan, Yurt, Lewis, Tiemann, and Allen to include movies filmed and produced in Asia, as taught by KINEMA, for the advantage of catering to a largely growing Asian population and also to Asian film fans, narrowing the cultural divide of motion pictures and further satisfying the viewing needs of a larger population.

Consider **claim 15,** Thiagarajan, Yurt, Lewis, Tiemann, Allen, and KINEMA teach wherein said data represents movies filmed and produced by production companies located in Asia (KINEMA - P. 2: lines 4-6, 22-28, 34-40; P. 3: lines 25-45; P. 4: lines 12-19; P. 5: lines 1-14).

Consider **claim 16,** Thiagarajan, Yurt, Lewis, Tiemann, Allen, and KINEMA teach wherein said data further includes at least one of full length motion pictures (KINEMA - P. 2: lines 4-6, 22-28, 34-40; P. 3: lines 25-45; P. 4: lines 12-19; P. 5: lines 1-14) and min-series programs having a predetermined number of parts associated therewith.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. LIN whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571)272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Lin/
Examiner, Art Unit: 2425

/Hunter B. Lonsberry/
Primary Examiner, Art Unit 2421